

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Boris Liberman

Serial No.: 09/935,687

Filed: August 24, 2001

Confirmation No. 3389

Group Art Unit: 2853

Examiner: Liang, Leonard S.

Docket No. 200600450-1

For: CONVEX PRINTING TABLE

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Mail Stop: AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The outstanding final Office Action mailed July 26, 2006 has been carefully considered. Please consider the following remarks.

AUTHORIZATION TO DEBIT ACCOUNT

It is believed that no extensions of time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to deposit account number 08-2025.

REMARKS

Rejections under 35 U.S.C. §102 are Improper

Claims 1-7 and 11-12 stand rejected under 35 U.S.C. §102(e) as purportedly being unpatentable over *Verhoest* (U.S. Patent No. 6,588,954). Applicant respectfully traverses this rejection. A review of the *Verhoest* reference reveals that the references and the proposed combination do not teach each and every limitation of Applicants' claims as is required by 35 U.S.C. §102.

For example, *Verhoest* appears to disclose at most a printing system having supports 25a, 25b, 25c, 25d attached to support frame 26. Each support is connected to a coupling means 23a, 23b, 23c, and 23d used for securing rollers (21a, 22a), (21b, 22b), (21c, 22c), (21d, 22d). FIG. 2 of *Verhoest* shows that rollers and coupling means (21d, 22d, 23d) attached to one support 25d is not substantially parallel to the rollers and coupling means (21c, 22c, 23c) attached to the support 25c next to it. Accordingly, *Verhoest* fails to teach or suggest at least "elongated support units, each has a bottom surface supported by said support structure, wherein said units are positioned remote from and substantially parallel to each other," as recited in claim 1. (Emphasis added).

Moreover, for sake of argument, if the rollers and coupling means are not construed as being "elongated support units," then *Verhoest* fails to teach or suggest at least "wherein when the substrate is positioned on the top surfaces, said tensioning device is capable of tensioning the flexible substrate along a feed path of the substrate," as recited in claim 7, since *Verhoest* discloses that a flexible substrate is not positioned on top of a support 25a-25d.

Further, Applicants note that *Verhoest* has a static support 26 to which stands support 25 carrying rollers 22. The rollers 22 roll over a belt 14 on which the

substrate rests. As such, the substrate is not in contact with the static support or rollers, and the support for the substrate is a dynamic one. It is noted that the belt is in constant movement. In contrast, the claim describes that the elongated support units are supported by a static support structure.

As a result, *Verhoest* does not teach or suggest all of the claimed features of claim 1. Therefore, claim 1 is not anticipated by *Verhoest*, and the rejection should be withdrawn. Accordingly, claims 2-7 and 11-12 which depend from claim 1 are also patentable over the cited art.

Additionally and notwithstanding the foregoing reasons for allowability of claims 2-7 and 11-12, these claims recite further features and/or combinations of features (as is apparent by examination of the claim itself) that are patentably distinct from the cited art of record.

For example, claim 2 recites "further comprising a digital printing device including a plurality of print heads, said support structure being configured so as to provide one said flat region for each of said printing heads." In making the rejection of claim 1, the Office Action indicates that the support frame 26 may be construed as the claimed "support structure." However, *Verhoest* fails to teach or suggest that the support frame 26 is configured "so as to provide one said flat region for each of said printing heads." For at least this reason, claim 2 is not anticipated by *Verhoest*.

As an additional example, among others, claim 5 recites "wherein said print heads are positioned such that when said flexible substrate is placed upon said support structure, portions of said flexible substrate that are stretched between said support units are located below said print heads." However, *Verhoest* fails to teach or suggest that a flexible substrate is placed upon the support frame 26 (which has

been construed as a "support structure" in the Office Action). For at least this reason, claim 5 is not anticipated by *Verhoest*.

Accordingly, the rejections to these claims should be withdrawn.

CONCLUSION

As is apparent from the foregoing, the cited references are woefully deficient in disclosing Applicants' claims. Therefore, application of the cited references against Applicants' claims under 35 U.S.C. §102 rises to the level of clear legal and/or factual error. Applicants therefore request that the rejections of the final Office Action be withdrawn and a new, non-final Office Action, or Notice of Allowance, be issued.

Respectfully submitted,



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